Declaratory
~~Improvement~~ Res. No. 887-1954

Which provides for the vacation of Roosevelt Drive from the east property line of Southern Court to the west property line of Gaywood Drive and John Street from the south property line of Fairfax Drive to the north property line of Wilson Drive.

Resolution Adopted:

June 22, 1954

Confirmed:

July 29, 1954

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Oct. 28, 1954

DECLARATORY RESOLUTION No. 887 1954

For the Vacation ~~Opening Condemnation of right of way for utility purposes~~ of Roosevelt Drive from the east property line of Southern Court to the west property line of Gaywood Drive and John Street from the south property line of Fairfax Drive to the north property line of Wilson Drive

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Roosevelt Drive from the east property line of Southern Court to the west property line of Gaywood Drive and John Street from the south property line of Fairfax Drive to the north property line of Wilson Drive.

All as shown by a plan of such proposed ~~Opening~~ Vacation ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening Condemnation of right of way for utility purposes~~ is described as follows: Lots 107, 121, 122, 209, 210, 175 to 196 inclusive and 135 to 157 inclusive, all in Southern Heights Addition. Said Addition inclusive to the City of Fort Wayne, Indiana. X

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by SAID above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

XX The vacation of the above described Street ~~and alleys~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers. water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter of Section Twenty-four, Twonship 30 north, Range 12 east, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana. XX

ADOPTED THIS 22nd DAY OF June, 1954.

Attest: J. L. Hallett
Secretary Board of Public Works.

[signature]
Frank R. Ross
Orin M. Dunling
Board of Public Works.

FAIRFAX DRIVE

ROOSEVELT DRIVE

WILSON DRIVE

COURT

STREET

JOHN TO BE VACATED

TO BE VACATED

SOUTHERN HEIGHTS ADDITION

THERN

N

FORT WAYNE PUBLIC SCHOOLS
1230 SOUTH CLINTON ST.
FORT WAYNE 2, INDIANA

OFFICE OF
A. T. LINDLEY
SUPERINTENDENT

June 9, 1954

Board of Public Works
City Hall
Fort Wayne, Indiana

Gentlemen:

Enclosed is a copy of a Resolution passed by the Board of School Trustees on June 8, 1954 requesting the vacation of South Park Drive from the south property line of Fairfax Drive to the north property line of Wilson Drive and of Roosevelt Drive from the east property line of Southern Court to the west property line of Gaywood Drive.

This resolution was prepared by the school attorney Mr. Paul Philips.

Sincerely,

A. T. Lindley

A. T. Lindley
Superintendent of Schools

ATL:MBW

DECLARATORY RESOLUTION NO. _____

For the vacation of South Park Drive from the south property line of Fairfax Drive to the north property line of Wilson Drive and of Roosevelt Drive from the east property line of Southern Court to the west property line of Gaywood Drive.

WHEREAS, the Board of Public Works finds that the streets hereinafter described are no longer necessary for the future development of the City, that they have never been opened or improved, and that all of the property adjoining them, with the exception of so much thereof as is contiguous to Lots 107 and 175 in Southern Heights Addition, is owned by the School City of Fort Wayne, Indiana, and upon which said School City plans and intends to construct a public school;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

That the following described streets in the City of Fort Wayne be and the same are hereby vacated, to-wit:

South Park Drive (previously known as John Street) from the south property line of Fairfax Drive to the north property line of Wilson Drive;

Roosevelt Drive, from the east property line of Southern Court to the west property line of Gaywood Drive (formerly known as Gay Street).

The property which may be injuriously or beneficially affected is all that property contiguous to and adjoining the above described streets.

RESOLVED, FURTHER, That notice of this Resolution be published in the News-Sentinel and the Journal-Gazette, both newspapers of general circulation published in the City of Fort Wayne, Indiana, once each week for two (2) consecutive weeks, beginning on the _____ day of _____, 1954, and that Thursday, the _____ day of _____, 1954 at 6:30 P.M., Central Standard Time, be and the same is hereby fixed as the date and time at which this Board will receive or hear remonstrances from persons interested in or affected by this

Resolution, and after consideration of which this Board will take final action confirming, modifying or rescinding this Resolution.

On motion by Mr. Yarnelle, seconded by Mrs. Roehrs, and unanimously passed, the above and foregoing Resolution was duly adopted.

PETITION

Fort Wayne, Ind., _____

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate on _____, from _____ to _____ respectfully petition for the passage of a resolution providing for the

STREET

VACATION

Petition for Passage

of a Resolution for

the vacation of South Park Drive from the south property line of Fairfax Drive to the north property line of Wilson Drive and of Roosevelt Drive from the east property line of Southern Court to the west property line of Gaywood Drive.

from

to

Filed with the Board of Public Works

Ref. to: R. Y. Adams 6/10/54

Plans Ordered: June 17, 1954.

1887